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4 Attorney for Defendants  
5 Affiliated Home Care of Putnam, Inc.  
and Barbara Kessman

# MEMO ENDORSED

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8 **UNITED STATES DISTRICT COURT**

9 **SOUTHERN DISTRICT OF NEW YORK**

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12 Maria Alves, Louise Henry, Camile Jones,  
13 Paula Simmonds, Leny Smith, Anna Maria Silva,  
14 and Dirce Freires, individually, and on behalf of all  
others similarly situated,

Case No. 16-CV-01593-KMK

15 Plaintiffs,

16 v.

17 Affiliated Home Care of Putnam, Inc. and  
Barbara Kessman, in her individual capacity,

18 Defendants.

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22 **DEFENDANTS' NOTICE OF MOTION TO**

23 **DECERTIFY COLLECTIVE ACTION AND CLASS ACTION**

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1 PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law in Support  
2 of Defendants' Motion to Decertify Collective Action and Class Action, Defendants hereby  
3 move this Court, at a time and place to be determined by the Court, for an order decertifying  
4 and dismissing: (1) the parties and claims proposed as a collective action under 29 U.S.C. §  
5 256 and the Fair Labor Standards Act ("FLSA"); and (2) the parties and claims proposed as  
6 a class action comprising three subclasses under Fed. R. Civ. P. 23 and New York Labor  
7 Law ("NYLL").

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10 DATED: December 19, 2023

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13 Defendants' Motion to Decertify is  
14 denied without prejudice for failure to  
15 comply with the Court's Individual  
16 Rules of Practice.

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SO ORDERED.



6/12/2024

Respectfully submitted,

By: /s/ Daniel S. Bretzius  
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